IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

GERALD VILLANUEVA, Petitioner, vs. STATE OF HAWAII, ATTORNEY GENERAL OF THE STATE OF HAWAII MARK BENNETT, Respondents.	CIVIL NO. 05-00460 JMS-BMK ORDER STRIKING SUPPLEMENTAL MEMORANDA AND DENYING IN FORMA PAUPERIS APPLICATION

ORDER STRIKING SUPPLEMENTAL MEMORANDA AND DENYING IN FORMA PAUPERIS APPLICATION

On December 15, 2005, this court denied and dismissed Petitioner Gerald Villanueva's amended petition for writ of habeas corpus brought pursuant to 28 U.S.C. § 2254. On December 20, 2005, and January 3, 2006, Villanueva filed supplemental memoranda in support of the Amended Petition. Villanueva also submitted an *in forma pauperis* application and a letter to Magistrate Judge Barry M. Kurren.

Having decided that this action is without merit, and denying the Amended Petition in its entirety, the court STRIKES the supplemental memoranda and DENIES the *in forma pauperis* application. See Minetti v. Port of Seattle, 152

F.3d 1113, 1115 (9th Cir. 1998). The Clerk shall close the case and terminate the action.

IT IS SO ORDERED.

Dated: Honolulu, Hawaii, January 9, 2006.

J. Michael Seabright
United States District Judge